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REMARKS

Claims 2–25 are pending and were rejected for obviousness over various proposed combinations of references. Specifically, claims 2–4, 7–13, 16–19 and 22–25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,617,539 to Ludwig, et al. ("Ludwig") in view of U.S. Patent 5,956,487 to Venkatraman, et al. ("Venkatraman"). Claims 5–6, 14–15 and 20–21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ludwig, in view of Venkatraman and further in view of U.S. Patent 6,108,687 to Craig ("Craig"). Reconsideration and withdrawal of these rejections are requested for the reasons indicated below.

Rejections Under § 103(a)

Each of pending claims 2–25 was rejected under § 103(a) in view of various combinations of Ludwig, Venkatraman, and Craig. Previously, these same claims were rejected over combinations of Ludwig, U.S. Patent U.S. Patent 6,373,841 to Goh, et al. ("Goh", and Craig. For the reasons outlined in the prior response, rejection of the pending claims over Ludwig and Goh was improper. Specifically, Ludwig clearly teaches away from the combination proposed by Examiner, and even if the combination were proper, the combination failed to teach each element of the pending claims. Venkatraman does not negate the teaching away by Ludwig, and supplies nothing that was not disclosed in Goh. Therefore, Examiner's revised rejection is improper for the same reasons.

For purposes of the following analysis, we will address only independent claims. Because each of the remaining claims depends from one of these independent claims, they are necessarily allowable for at least the reasons discussed below.

Throughout prosecution, Examiner has conceded that "Ludwig differs from the claimed invention in not specifically teaching a web server embedded within the personal computer...." A videoconferencing unit having an embedded web server is common to each of the independent claims, although the various claims recite different web server configurations. With regard to the pending independent claims, Examiner now relies upon Venkatraman to supply the missing web server limitation. However, Examiner has

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failed to establish a *prima facie* case of obviousness, and thus Examiner's reliance upon this combination of references is improper.

A *prima facie* case of obviousness requires three things: (1) suggestion or motivation to combine the references, (2) reasonable expectation of success, and (3) teaching of each limitation of the claim within the proposed combination of references. *See* MPEP § 2142. Examiner's obviousness rejection fails both the first and third requirements. *There is no suggestion or motivation to combine the references, and, even if it were proper to combine the references, the combination still fails to teach every element of the claimed inventions.*

As noted in Applicant's earlier responses, Ludwig teaches that "attempt[ing] to add computing capabilities to a videoconferencing system ... do[es] not provide the capabilities required for maximally effective collaboration, and [is] not cost-effective." Ludwig at col. 2, ll. 25–39. *THIS IS CLEAR TEACHING AWAY FROM THE CLAIMED INVENTION.* Rather than adding computing capabilities to a videoconferencing unit, Ludwig proposes a collaborative media workstation "CMW", which, is disclosed as a computer workstation, such as those running typical desktop operating systems. *See, e.g.,* Ludwig at col. 6, ll. 22–25. In essence, Ludwig teaches adding videoconferencing capabilities to a conventional computer workstation, while clearly teaching away from "add[ing] computing capabilities to a videoconferencing system." Therefore, Examiner's proposed combination of Venkatraman, which teaches a form of embedded web server, with Ludwig, to reject the videoconferencing unit described and claimed herein is improper. *The addition of additional computing capabilities, i.e., the embedded web server of Venkatraman, to a videoconferencing unit is contrary to the teaching of Ludwig.*

Furthermore, Examiner's contention that "one skilled in the art would recognize Ludwig teaching to add computing capabilities to a videoconferencing system" is untenable. Ludwig, taken in its entirety, teaches that adding videoconferencing capabilities to existing general purpose workstations is preferable to adding computing capabilities to a videoconferencing unit. Therefore, one skilled in the art would understand Ludwig to teach *away from* adding computing capabilities, such as an

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embedded web server as disclosed in Venkatraman, to a videoconferencing unit. *Thus, one skilled in the art would not be motivated to combine Venkatraman, which discloses only an embedded web server, with Ludwig.*

Moreover, even if the proposed combination of Ludwig and Venkatraman was proper, it does not disclose every limitation of the pending independent claims.

For example, claim 2 requires "a web server embedded within the videoconferencing unit ... for transmitting a web page ..., *wherein the web page allows the user to select a file for broadcast to the videoconferencing unit or allows the user to view a file being transmitted by the videoconferencing unit.*" Neither Ludwig nor Venkatraman teaches an embedded web server that transmits a web page allowing a user "to select a file for broadcast" or "view a file being transmitted by the videoconferencing unit." As Examiner has conceded, Ludwig contains no teaching at all concerning an embedded web server. While Venkatraman does disclose an embedded web server, it does not teach or suggest that this web server presents a web page that allows selection of a file for broadcast to a videoconferencing unit or view a file being transmitted by the videoconferencing unit. Examiner's assertion to the contrary is without merit. Because Ludwig and Venkatraman fail to teach or suggest this limitation of claim 2, claim 2 is allowable over the combination proposed.

Similarly, claim 9 requires, among other things, "a web server embedded within the videoconferencing unit ... for transmitting a web page ..., wherein the web page allows the user to perform diagnostic testing on the videoconferencing unit." Ludwig and Venkatraman, separately or in combination, fail to teach or suggest this limitation of claim 9. As the Examiner has conceded, Ludwig contains no teaching whatsoever of an embedded web server. As noted above, the web server of Venkatraman is configured for various general purpose user interface tasks. This is substantially different from "allow[ing] the user to perform diagnostic testing on the videoconferencing unit." Venkatraman contains no teaching or suggestion of such higher level diagnostic testing.

Finally, claim 10 requires, among other things, "a web server embedded within the videoconferencing unit ... for transmitting a web page ..., wherein the web page allows the user to modify configuration parameters of the videoconferencing unit."

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Ludwig and Venkatraman, separately or in combination, fail to teach or suggest this limitation. Examiner has already conceded that Ludwig contains no teaching or suggestion of an embedded web server of any type. As noted above, the embedded web server disclosed in Venkatraman is merely a user interface for a variety of devices that are not videoconferencing systems. Venkatraman contains no teaching or suggestion of "modify[ing] configuration parameters of the videoconferencing unit."

Examiner noted that remaining independent claims 11 and 18 were rejected for the same reasons set forth in claim 2. Examiner further noted that independent claims 24 and 25 were rejected for the same reasons as claims 9 and 10, respectively. Each of these independent method claims includes an embedded web server limitation similar to the embedded web server limitation in the corresponding apparatus claim identified by Examiner. Therefore these claims are allowable for at least the reasons discussed above. Reconsideration and withdrawal of the rejection of claims 11, 18, 24, and 25 is therefore requested.

Examiner's rejection of claims 5–6, 14–15, and 20–21 is based on Ludwig and Venkatraman in further view of Craig. However, each of these claims depends from one of the independent claims identified above, which, as noted, are allowable. Therefore each of these claims is further allowable.
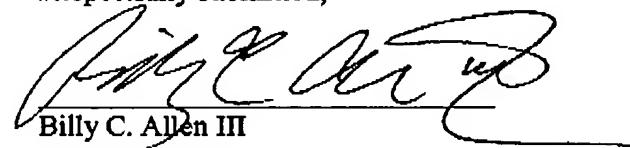
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Based upon the remarks herein, allowance of all pending claims is requested.
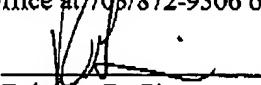
Respectfully submitted,

October 21, 2005

Billy C. Allen III
Reg. No. 46,147

Wong, Cabello, Lutsch,
 Rutherford & Brucculeri, L.L.P.
20333 State Hwy 249, Suite 600
Houston, TX 77070
Phone: 832-446-2400
Fax: 832-446-2424

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